

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

EDWARD WILLIAM STRICKLAND,

Petitioner,

v.

3:08-cv-319

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM AND ORDER

Petitioner Edward William Strickland ("Strickland") was sentenced by this court, by Judgment entered July 14, 2008, to 70 months imprisonment on a drug conspiracy conviction. Strickland thereafter sent several letters to the court concerning his sentence and his dissatisfaction with his attorney, including a request in his latest letter to entertain his motion in the form of a writ of habeas corpus. Because it was not clear to the court what post-conviction relief Strickland wished to pursue, the Clerk was directed to send Strickland the forms for both a habeas corpus petition pursuant to 28 U.S.C. § 2254 and a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 motion. Strickland was ordered to advise the court, by either completing and returning the appropriate form or otherwise, of how he wished to proceed in this matter.

In response, Strickland states that he intends to file a § 2255 motion, but is unable to do so at this time. Strickland is **ADVISED** that, pursuant to the applicable statute of limitation, he has **ONE (1) YEAR** from the entry of his judgment of conviction within which to file his § 2255 motion. The Clerk is **DIRECTED** to close this file. The Clerk is **FURTHER DIRECTED** to docket this Memorandum and Order in Strickland's criminal case, Criminal Action No. 3:06-cr-161.

ENTER:

s/ Thomas W. Phillips
United States District Judge